

EMPLOYMENT APPEALS TRIBUNAL

APPEAL(S) OF:
EMPLOYEE

CASE NO.
RP2370/2011

against

EMPLOYER

under

REDUNDANCY PAYMENTS ACTS, 1967 TO 2007

I certify that the Tribunal
(Division of Tribunal)

Chairman: Ms. K.T. O'Mahony BL

Members: Mr. J. Hennessy
Mr. F. Dorgan

heard this appeal in Kilkenny on 11 February 2013

Representation:

Appellant(s):

No legal or trade union representation

Respondent(s):

Mr Hugh Hannon, C.I.E. Solicitors Office,
Bridgewater House, Bridgewater Quay, Islandbridge, Dublin 8

The decision of the Tribunal was as follows:-

A claim was brought under redundancy legislation but, at the start of the Tribunal hearing it was acknowledged by the appellant that she had lost an unfair dismissal case at an earlier date before the Tribunal. The appellant maintained that she had letters from witnesses who "were too young to go to court" at the time of her appeal to the Circuit Court.

The respondent's representative contended that the termination of the appellant's employment had been found to have been a fair dismissal and that there had been no redundancy.

The appellant submitted that she had not been given a gratuity by the respondent although other drivers employed by the respondent had received it.

Determination:

The Tribunal could only deal with the redundancy appeal. The dismissal was for reasons other

than redundancy and no redundancy situation existed in the respondent at the relevant time. The appeal under the Redundancy Payments Acts, 1967 to 2007, fails.

Sealed with the Seal of the
Employment Appeals Tribunal

This _____

(Sgd.) _____
(CHAIRMAN)